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INFO RHEHNSC/NSC WASHDC IMMEDIATE
RUCPDOC/DEPT OF COMMERCE WASHINGTON DC IMMEDIATE
RUEKJCS/SECDEF WASHINGTON DC IMMEDIATE
RUEAIIA/CIA WASHINGTON DC IMMEDIATE

UNCLAS BANGKOK 000905

SIPDIS

FOR PM/DTCC - BLUE LANTERN COORDINATOR

E.O. 12958: N/A
TAGS: [ETTC](#) [KOMC](#) [TH](#)
SUBJECT: BLUE LANTERN PRE-LICENSE END-USE CHECK ON LICENSE
050145190

REF: STATE 20018

¶1. (U) According to the Thai Ministry of Commerce Phongs Firearms Ltd. Part. was listed:

Registration No. 0103512001105
Registered Date: January 22, 1969
Status: Limited Partnership
Capital Registration: 150,000 Baht
Name: Phongs Firearms Ltd. Part.
Partners: Phiraphol Bupparumnee with an investment of 20,000 baht, Yuwadee Bupparumnee with an investment of 30,000 baht, Thanaphol Bupparumnee with an investment of 20,000 baht, Thititorn Bupparumnee with an investment of 50,000 baht, and Nanthana Bupparumnee with an investment of 30,000 baht.
Company Location: 2/4 Burapha Rd., Wang Burapha Phirom, Phra Nakhon, Bangkok
The company has submitted annual financial reports for 1999-2007.
Purpose of Company: To import and sell guns and ammunition.

¶2. (U) The company was listed in the telephone directory as 02-226-2937 and 02-623-7897, not as stated reftel. The number stated in the Cable (02-221-8328) is registered as the Songchai Firearms Ltd. Part., located at: 20 Mahachai Rd., Wang Burapha Phirom, Phra Nakhon, Bangkok. When we called the reftel number the phone was answered as Yothin Firearms. A Blue Lantern investigation was conducted on Yothin Firearms in April 2007, no adverse information was detected. The owner at that time said his family members owned seven gun shops, including Phongs Firearms.

¶3. (U) POL FSN March 25 visited the Phongs Firearms shop. The one-room shop is located in The Old Siam Plaza, a large shopping mall in a busy business area of Bangkok. The shop contained an old iron safe and there were no guns or ammunition on show. Thititorn Bupparumnee of Yothin Firearms Ltd said Phongs Firearms is one of his family's business chain shops. Thititorn presented copies of:

- The Phongs' commercial registration, issued by Ministry of Commerce,
- The Phongs' Permit for Sale of Firearms, No. 86/2551, dated June 29, 2008, to expire June 28, 2009, issued by Department of Provincial Administration, Ministry of Interior,
- The Phongs' Permit for Possession of Firearms for Commercial Purpose, No. 86/2551, dated June 29, 2008, to

expire June 28, 2009, issued by the Department of Provincial Administration, Ministry of Interior,

- The Phongs's Purchase Order No. CKB-137/09, dated January 15, 2009, to Kimber MPG., Inc., signed by Thanaphol Bupparumnee and a letter from the Kimber to Phongs confirming the order and purchase of 30 sets of .45 ACP pistols, plus 30

magazines,

- A DSP-83, signed by Thanaphol Bupparumnee, dated January 15, 2009; the copy with Bunpluek and Donna Logan's signatures was not available.

14. (U) Inquires per reftel:

What is your relationship with Bunpluek Maprojong?

Response: Bunpluek is an individual gun trader and one of Yothin's trading partners for about 15 years. Yothin later put her onto the Phongs's trade contact. Yothin is a big gun shop that needs to have its shop network for weapon business-operating, gun quota, tax, and accounting management.

What role is Phongs Firearms playing in this transaction?

Response: Phongs will import this set of guns that Bunpluek has obtained by her quota from the local gun registrar in Buriram Province on behalf of Bunpluek. She has assigned Phongs to import the guns, this was approved by the local gun registrar. Bunpluek lives upcountry and it is more convenient to have a Bangkok-based gun shop conduct the transaction. A portion of the set of pistols will be on sale in Bangkok on behalf of Bunpluek as the gun market in Bangkok is larger than in Buriram.

Why are you involved in the transaction if the import permit is issued to Mrs. Bunpluek Maprojong?

Response: Because Bunpluek has assigned Phongs to import on her behalf, as described above.

Are you familiar with the regulations governing the import of US-origin defense articles, including restrictions on retransfer or re-export?

Response: Yes, Phongs is familiar with the restrictions and with Thai law as well. Thititorn additionally explained that once this set of guns arrives, it will be transported to Buriram on a car with an armed guard and driver for gun declaration and registration there. One of the partners may accompany. When done, most will be shipped back to Bangkok for sale on behalf of Bunpluek.

15. (U) POL FSN spoke with Bunpluek Maprojong on the phone.
Bunpluek lives in Buriram and has been in gun business as an individual firearms trader since 1977 as inherited from her father. She is granted an annual gun quota of 50 rifles and 30 pistols. She owns and operates her gun shop, namely, Ruam Phanit Firearms Ltd., Part., that is located at 330 Chokchai-Det-udom Road, Tambon Nang Rong, Amphoe Nang Rong, Buriram. Tel. 044-631- 834, 081-879-8618.

Inquiries per reftel:

Can you confirm the order of the firearms listed on this license application?

Response: Yes, as evidenced by the Permit for Order/Import of Firearms No. 2/2551, dated December 19, 2008, to expire December 18, 2009, issued by the local gun registrar at Nang Rong District, Buriram.

Are you an authorized firearms retailer?

Response: Yes. As evidenced by permit for sale of firearms, No. 2/2551, dated December 19, 2008, to expire December 18, 2009, and Permit for Possession of Firearms for Commercial Purpose, No. 194/2551, dated December 19, 2008, to expire December 18, 2009, issued to her by the Nang Rong District Office. Ruam Phanit Firearms Ltd, Part. has been registered with the Buriram Provincial Authority's Commercial Registration Section since December 2, 1981, Ref. No. 1045. This is the second registration after the first registration by her father. The purpose of business is to sell guns,

ammunitions, and gun spare parts, and to modify guns.

Are these firearms being imported into Thailand for your personal use or for commercial resale? If for personal use, can you please explain why the quantity is so high?

Response: They are for commercial resale. None will be for personal use or collection.

What is your relationship with Phongs Firearms?

Response: Her family, in particular her husband, is a long-time friend of the family that owns Yothin Firearms and its shop network in Bangkok. They have been friends for almost 50 years. For this specific case, as usual, she has assigned Phongs Firearms to import this lot of guns on her behalf.

What are the term of agreement between you and Phongs Firearms in this transaction?

Response: It is an agreement based trust. Phongs will import and partly sell the materials, then share some gains to her. This practice has been followed since almost the beginning of her business. Phongs will do everything, including advancing money to purchase the guns.

What role is Phongs Firearms playing in this transaction?

Response: To import and partly sell this lot of guns on her behalf, as to her consent and approval by the local gun registrar

Are you familiar with the regulations governing the import of U.S.-origin defense articles, including restrictions on retransfer or re-export?

Response: POL FSN sensed that she was not aware and explained the principle to her. She affirmed that she has never violated as such.

¶ 6. (U) POL FSN spoke with the Nang Rong District Office in Buriram and the Department of Provincial Administration at the Ministry of Interior.

Can you confirm that Mrs. Bunpluek Maprojong is authorized to import firearms into Thailand?

The Nang Rong District Office confirmed that Bunpluek is authorized to import firearms into Thailand per Permit for Order/Import of Firearms, No. 2/2551, dated December 19, 2008, to expire December 18, 2009, issued by the Nang Rong District Office, and Bunpluek's assignment to Phongs Firearms in Bangkok to import those guns on her behalf.

Is she properly registered as a firearms retailer and/or private firearms owner in accordance with the law?

The Nang Rong District Office confirmed that Bunpluek is registered as a firearms retailer and trader, and possesses all proper legal permits. Permit for Sale of Firearms is No. 2/2551, dated December 19, 2008, to expire December 18, 2009, and her Permit for Possession of Firearms for Commercial Purpose is No. 194/2551, dated December 19, 2008, to expire December 18, 2009.

Can you confirm that Phongs Firearms is authorized to import firearms into Thailand? Is the company properly registered as a firearms retailer in accordance with the law?

The Department of Provincial Administration confirmed the registration and business legitimacy of the Phongs Firearms. The shop is authorized to import and sell the weapons. He also confirmed the documents Thititorn presented.

Can you explain the procedure by which private companies and individuals import firearms into Thailand?

The Firearms, Ammunitions, Explosive Articles and Fireworks, and Imitation of Firearms Act, 1947, or the "Gun Act", and the consequent amendments and relevant Interior Ministerial Rules and Regulations:

¶11. A person or group of persons wanting to start a gun business has to register the business with Ministry of Commerce like other regular businesses.

¶12. The business must request two permits from Ministry of Interior, (1) Permit for Sale of Firearms and (2) Permit for Possession of Firearms for Commercial Purpose. Those registered upcountry will request through district offices. Those registered in Bangkok will request through the Gun Shop Registration Section of Department of Provincial Administration. These permits are good for one year, however, they are routinely renewable. The Interior Minister is the issuing and approving officer.

¶13. The business must also request a Permit for Order/Import of Firearms. In Bangkok, the issuing and approving officer is Director of Bureau of Investigation and Legal Affairs. In the provinces the District Chief Officer is the responsible authority for issuing the permit. This permit is also good for one year, and will routinely be reissued annually. This permit allows for the import and sale of not more than thirty pistols and fifty rifles per year. Each gun shop cannot retain more than five Permits.

¶14. After obtaining the Permit for Order/Import of Firearms, the business can import guns within their quota.

What limitations on firearms imports exist, according to the laws and regulations in Thailand?

Per to the Interior Ministerial Regulation No. 11, issued in 1979, in compliance to the Gun Act 1947, the following types and sizes of firearms are permitted to be imported:

- (1) A gun with a rifle barrel with a diameter of the muzzle (caliber) of not more than 11.45 mm.
- (2) An unrifled-barrel gun, as following: (a) caliber not more than 20 mm and (b) muzzle-loading gun, shotgun, and flare-signal gun.
- (3) A gun with the self-reloading mechanism for re-firing: (a) length of barrel not more than 160 mm, (b) shotguns, (c) a rifle or pistol with caliber not more than 5.6 mm.
- (4) Guns without silencers and guns that cannot be used to fire chemical, poisonous, biological, radioactive, fire, and metal-piercing bullets.

Is there an annual limit to how many firearms a business or individual may import?

Yes. One import permit allows for the importation of not more than fifty rifles and thirty pistols per year. One gun shop cannot possess more than five permits. However, per the Interior Minister's Order No. 109/2535, dated February 10, 1992, no new gun shops can be registered.

Can one's import allowance be transferred to another business or individual?

Yes, as allowed by the Interior Ministerial Order No. 674/2490, dated October 10, 1947. The transfer must be approved by the District Office gun registrar.

In this case, is it lawful for Phongs Firearms to import firearms using an import permit issued to Mrs. Bunpluek Maprojong? Please explain the regulations on this practice.

Yes, as stated above. However, that set of guns have to be shipped to the original licensee's location for registration and sale. In practice, guns may be sold elsewhere on behalf of the original licensee.

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